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JAMES MCKEETH

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EXAMINER

BROPHY, MATTHEW J

ART UNIT

PAPER NUMBER

2191

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/449,782	Applicant(s) MCKEETH, JAMES	
	Examiner MATTHEW J. BROPHY	Art Unit 2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 23-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Pre-Appeal Brief Review of August 4, 2008
2. The previous rejections of claims 1-25 have been withdrawn.
3. New Grounds of rejections have been set forth below.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (hereinafter AAPA) in view of "The Windows NT Command Shell" by Tim Hill (hereinafter Hill) (1998).

Regarding Claims 1, 15 and 21, AAPA teaches:

invoking, by an application, a call of a command line utility... wherein the command line utility is a utility executable from a command line prompt (**AAPA Page 1, 17-21** "The conventional technique by which a user application obtains command line utility output is shown in FIG. 1. After a temporary text file is created (block 100), the command line utility whose output is desired is invoked via a standard interface (block 102).");

receiving output from the command line utility (**AAPA Page 1, Line 21-22** "Output from the command line utility is piped to the temporary file (block 104),");

storing the command line utility output in a system storage at a location identified by the identifier **(AAPA Page 1, Line 21-22 “Output from the command line utility is piped to the temporary file (block 104),”)** *[here examiner interprets “system storage” as including a temporary file as discussed in AAPA because the “system storage” of the claims is not limited to “a system registry” as in e.g. dependent claim 2 addressed below and includes e.g. “temporary file” of AAPA when given its broadest reasonable interpretation];*

and retrieving, by the application, the command line utility output from the system storage at the location identified by the identifier. **(AAPA Page 1, Line 22-23 “from which the application extracts and processes the desired data (block 106).”)**

AAPA does not explicitly teach:

the application providing an identifier in the call of the command line utility

however this limitation is taught by Hill:

(Hill Page 11, “The > redirection symbol redirects command output to the specified file. For example:

C:\>dir >c:\dir.txt

This example creates a text file C:\DIR.TXT containing the output of the DIR command. The > symbol can be placed anywhere in the command, but is typically placed at the end of the command. A space is permitted between the > symbol and the file name. If the file specified by the redirection symbol already exists, any existing contents are deleted before the command is executed.”)

However, it would have been obvious, to one of ordinary skill level in the art, at the time of the invention, to modify the method / system / storage device, as disclosed in AAPA, FIG. 1, using WindowsNT known redirection and piping commands, because piping the output of a script command to a file specified in the call of the command line utility allows the program to specify the exact system memory location (file name) in which the output will be stored. The combination is obvious because teachings are found in the prior art, and combined, with no change in functionality. It is a mere use of common sense by one skilled in the art to select and combine such known elements with no new function, i.e., a predictable result. The predictable result, utility output directly stored to a system storage, at a location identified by an identifier. A subsequently invoked application will retrieve the modified values from the temporary file.

6. Claims 2-14, 16-20 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (hereinafter AAPA) in view of "The Windows NT Command Shell" by Tim Hill (hereinafter Hill) (1998). in view of USPN 6,182,279 to Buxton and further in view of US Patent 6,681,265 Halva, (hereinafter Hlava.)

Regarding Claim 2, AAPA does not teach:

-providing the identifier comprises providing an identifier that identifies one or more entries in a system registry database.

However, this limitation is taught by Buxton:

(Fig. 2, item 205 and col. 13, lines 14-15, "...registry keys are created..." Also see col. 14, lines 29-59, "To facilitate loading of template onto another system...a number of registration key or subkey are included with template. Each template may have the keys 450A-I, as illustrated in Fig. 4C...Key 450H contains information indicating the name of the storage object in template storage file where initialization data...may be located...Key 450I contains information identifying the CLSID...)

In addition it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the command line redirection (to temporary files) of AAPA with the system register storage of Buxton as the use of the system registry provides the ability to fully use a system registry, avoid dual maintenance in temporary files and avoid inefficient use of programs as recognized by US patent 6,681,265 to Hlvana (Col 2 Ln 37-46, "Advantageously, this method allows command files to access a data store such as the Windows Registry without some of the problems associated with prior approaches. First, access to the data store can be achieved through a command file which is easier to write and maintain than a program. Secondly, there is no concern about synchronization between the data store and permanent environmental variables used to mimic the data store. Finally, the method allows full use of the data store as intended, that is, as a central repository for configuration type information.")

Regarding claim 3, Buxton teaches:

-providing a root key identifier.

(Col. 11, line 2: "Most OLE object application information is stored in subkeys under the CSLID root key..." Also see col. 17, lines 35-41, "Component loader loads, verifies and checks the license of a component by replacing in registry the InProcessServer 32 entry, i.e. key 450A...and adding additional registry keys 450B-J, as previously described, that will let the component loader (receiving a root key identifier) then load the correct OLE control.")

Regarding claim 4, Buxton teaches:

-providing a sub-key identifier.

(Col. 11, line 2 and col. 14, line 31: To facilitate loading of template...a number of registration or subkey are included with template...")

Regarding claim 5, Buxton teaches:

-system registry database comprises an operating system registry database.

(Col. 4, line 49: "Operation of computer system is generally controlled...by operating system software, such as...Windows95...")

Regarding claim 6, Buxton teaches:

-providing a system storage identifier.

(Col. 12, lines 20-21, "...users identify...templates to be packaged..." Also for another example of receiving a system storage identifier, see col. 20, lines 42-45, "...relevant character string from the registry is converted to CLSID. The component loader (receives a system storage identifier) then calls the GetClassObject to retrieve the real component's class factory...")

Regarding claim 7, Buxton teaches:

-providing the system storage identifier comprises providing an identifier indicating a system registry.

(Col. 10, line 66 – col. 11, line 4: A CLSID identifies the functionality of an object class that can display...access to property values...A subkey is used by an OLE to find out information about the control.")

Regarding claim 8, Buxton teaches:

-providing an identifier indicating shared system memory.

(Col. 8, lines 6-7: "OLE libraries (shared) comprise the set of system-level services in accordance with the OLE specification...")

Regarding claim 9, Buxton teaches:

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-providing the identifier indicating shared system memory identifies a system clipboard memory.

(Col. 11, line 6: "An FORMATETC...is an OLE data structure which acts in a generalized clipboard format...")

Regarding claims 10, Buxton teaches:

-receiving output directly from the command line output utility.

As an example, a utility modifies (utility output) the registry (col. 8, lines 8-11).

Regarding claim 11, Buxton teaches:

-receiving output from the command line output utility through a subsequent command line output routine.

As an example, (col. 8, lines 28-29) "Data items within the registry are retrievable (receive output) via calls (from utility call) to the WIN32 APIs."

Regarding claim 12, Buxton teaches:

-associating each line of command line utility output with a line identifier in the system storage.

As an example, (col. 3, lines 1-9) "Template storage with a means for indexing, including key information associated with the template. "...a memory having one or more locations, means for indexing one or more locations within the memory..." Also col. 13, lines 35-44, templates are stored with an enumerated decimal number: "Each

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template is stored in an ISTORE whose name is unique...and may have the form TEMPLEnnn, where nnn may be a decimal number.”)

Regarding claim 13, Buxton teaches:

-setting each line identifier to a value corresponding to a position of that line in the command line utility output.

(Rejection of claim 12 is incorporated and further claim contains limitations as recited in claim 12. Therefore claim 13 is rejected under the same rational as claim 12.)

Regarding claim 14, Buxton teaches:

-setting a default value of the provided identifier to equal the total number of command utility output lines stored in the system storage. (Rejection of claim 12 is incorporated and further claim contains limitations as recited in claim 12. Therefore claim 14 is rejected under the same rational as claim 12.)

Regarding claim 15, Buxton teaches:

A program storage device, readable by a computer, comprising instructions stored on the program storage device for causing the computer to:

- cause an application to invoke a call of a command line utility, the application providing an identifier in the call of the command utility;
- receive output from the command line utility;

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- store the command line utility output in system storage at a location identified by the identifier;

- cause the application to retrieve the command line utility output from the storage at the location identified by the identifier.

See rejection of limitations in claim 1 above. This is a “program storage device” version of claim 1. See Figure 2 regarding Buxton’s disclosure of a “program storage device.”

Regarding claim 16, Buxton teaches:

- instructions to store command line utility output in an operating system registry database.

As an example (Fig. 2, item 205 and col. 13, lines 14-15), “...registry keys are created...” and (col. 13, lines 10 – 15) “...Template storage DLL ensures all additional registry keys...are created...” Modified components cause the registry keys to be created / edited / modified (REGEDIT utility).

Regarding claim 17, Buxton teaches:

- instructions to store command line utility output in an operating system maintained volatile memory.

As an example, (Fig. 1, item 110-volatile storage).

Regarding claim 18, Buxton teaches:

- instructions to receive one or more lines of output from the command line utility.

See rejection of limitation in claim 1 above.

-instructions to store each of said one or more lines of output in the system storage.

As an example, (col. 14, lines 26-29) "The remainder of the operating system registry entries are generated by code (instructions to store) in the template storage DLL and are stored in both registry (store output / modified component data in system storage) and the template.")

Regarding claim 19, Buxton teaches:

-instructions to associate a unique identifier with each of the one or more lines of output stored in the system storage.

See rejection of limitations in claim 2 above.

Regarding claim 20, Buxton teaches:

-instructions to set a value associated with the received identifier in the system storage equal to the number of lines of output stored in the system storage.

(Rejection of claim 18 is incorporated and further claim contains limitations as recited in claim 12. Therefore claim 20 is rejected under the same rational as claim 12.)

Regarding claim 21, Buxton teaches:

A computer system, comprising:

-a processor;

- a command line utility;
- an application executable on the processor, the application to call the command line utility, the application to provide an identifier in the call;
- a system storage having a location identified by the identifier, the location identified by the identifier to store an output of the command line utility,
- the application to retrieve the command line utility output from the location identified by the identifier.

As an example, see FIG. 1. Claim 21 contains limitations as recited in claim 1, therefore claim 21 is rejected under the same rational as claim 1.)

Regarding claim 23, Buxton teaches:

- the command line utility comprises a first command line utility, and wherein invoking the call by the application comprises invoking a call to pipe output of a second command line utility to the first command line utility...
- wherein storing the command line utility output comprises storing the command line utility output of the first command line utility.

Col. 8, lines 6-7 disclose the OLE libraries comprise the set of system level services (system utilities). As an example of system utilities (col. 20, lines 17-43) Buxton disclosed reading a sub-key from the registry, use the output to determine the real component CLSID, determine whether a valid certificate and license exist, pipe the relevant character string to a CLSID, etc.

Additionally see rejection of claim 1 above.

Regarding claim 24, Buxton teaches:

-the command line utility comprises a first command line utility, and wherein invoking the call by the application comprises invoking a call to pipe output of a second command line utility to the first command line utility...

-wherein storing the command line utility output comprises storing the command line utility output of the first command line utility.

This is a 'program storage device' version of claim 23 above. See rejection of claim limitations in claims 15 and 23 above.

Regarding claim 25, Buxton teaches:

-the command line utility comprises a first command line utility, the system further comprising a second command line utility, the application to invoke a call that causes output of the second command line utility to be piped to the first command line utility...

-the location identified by the identifier to store output of the first command line utility.

This is a 'system' version of claim 23 above. See rejection of claim limitations in claims 21 and 23 above.

Response to Arguments

7. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW J. BROPHY whose telephone number is 571-270-1642. The examiner can normally be reached on Monday-Thursday 8:00AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on (571) 272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Wei Zhen/
Supervisory Patent Examiner, Art Unit 2191